

104TH CONGRESS  
1ST SESSION

# H. R. 2725

To amend the Occupational Safety and Health Act to require Federal contracts debarment for persons who violate the Act's provisions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 1995

Mr. EVANS introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Occupational Safety and Health Act to require Federal contracts debarment for persons who violate the Act's provisions, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Federal Contractor  
5       Safety and Health Enforcement Act of 1995”.

6       **SEC. 2. DEBARMENT.**

7       The Occupational Safety and Health Act (29 U.S.C.  
8       651 et seq.) is amended—

1           (1) by redesignating sections 33 and 34, as sec-  
2           tions 34 and 35, respectively;

3           (2) by inserting after section 32 the following  
4           new section:

5           “FEDERAL CONTRACTS DEBARMENT

6           “SEC. 33. (a) Any person or entity that, with a clear  
7           pattern and practice, violates the provisions of this Act  
8           shall be ineligible for all Federal contracts for a period  
9           of 3 years.

10          “(b) The Secretary shall promulgate regulations re-  
11          garding debarment provisions and procedures. The regula-  
12          tions shall require that Federal contracting agencies shall  
13          refrain from entering into further contracts, or extensions  
14          or modifications of existing contracts, with any person or  
15          entity described in subsection (a) during the 3-year period  
16          immediately following a determination by the Secretary  
17          that the person or entity is in violation (as described in  
18          subsection (a)) of this Act.

19          “(c) A debarment may be removed, or the period of  
20          debarment may be reduced, by the Secretary upon the  
21          submission of an application to the Secretary that is sup-  
22          ported by documentary evidence and that sets forth appro-  
23          priate reasons for the granting of the debarment removal  
24          or reduction, including reasons such as compliance with  
25          the final orders that are found to have been willfully vio-

1 lated, a bona fide change of ownership or management,  
2 or a fraud or misrepresentation of the charging party.”.

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